

**IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF TENNESSEE
NASHVILLE DIVISION**

**MAYA HAYNES, Individually and on Behalf
of All Others Similarly Situated,**

Plaintiff,

v.

**REALPAGE, INC.; THOMA BRAVO FUND
XIII, L.P.; THOMA BRAVO FUND XIV, L.P.;
THOMA BRAVO L.P.; APARTMENT
INCOME REIT CORP., d/b/a AIR
COMMUNITIES; APARTMENT
MANAGEMENT CONSULTANTS, LLC;
AVENUES RESIDENTIAL, LLC; BELL
PARTNERS, INC.; BH MANAGEMENT
SERVICES, LLC; BOZZUTO
MANAGEMENT COMPANY; CAMDEN
PROPERTY TRUST; CH REAL ESTATE
SERVICES, LLC; CONAM MANAGEMENT
CORPORATION; CORTLAND
MANAGEMENT, LLC; CWS APARTMENT
HOMES LLC; DAYRISE RESIDENTIAL,
LLC; ECI GROUP, INC.; EQUITY
RESIDENTIAL; FIRST COMMUNITIES
MANAGEMENT, INC.; GREYSTAR
MANAGEMENT SERVICES, LLC;
HIGHMARK RESIDENTIAL, LLC;
INDEPENDENCE REALTY TRUST, INC.;
LINCOLN PROPERTY COMPANY; MID-
AMERICA APARTMENTS L.P.; MISSION
ROCK RESIDENTIAL, LLC; MORGAN
PROPERTIES MANAGEMENT COMPANY,
LLC; PINNACLE PROPERTY
MANAGEMENT SERVICES, LLC; THE
RELATED COMPANIES L.P.; RELATED
MANAGEMENT COMPANY L.P.; RPM
LIVING, LLC; SIMPSON PROPERTY
GROUP, LLC; CROW HOLDINGS, LP;
TRAMMELL CROW RESIDENTIAL
COMPANY; WINDSOR PROPERTY**

Case No. 3:23-cv-00979

**Member case in 3:23-md-03071 In re:
RealPage, Inc., Rental Software Antitrust
Litigation (No. II)**

**MANAGEMENT COMPANY;
WINNCOMPANIES LLC;
WINNRESIDENTIAL MANAGER CORP.;
AND ZRS MANAGEMENT, LLC;**

Defendants.

**FIRST COMMUNITIES MANAGEMENT, INC.’S
CONSENT MOTION FOR EXTENSION OF TIME TO RESPOND TO COMPLAINT**

COMES NOW Defendant First Communities Management, Inc. (“First Communities”), appearing specially¹ through undersigned counsel for the limited purpose of moving this Court for extension of time to respond to the Complaint:

1. On August 25, 2023, Plaintiff originally filed this matter as a Class Action Complaint in the Northern District of Georgia (the “Original Complaint”). The matter was assigned civil action file number 1:23-cv-0313-VMC.

2. First Communities was served with the Original Complaint on September 7, 2023. As a result, the deadline for First Communities to respond to the Original Complaint is September 28, 2023.

3. On September 13, 2023, this action was transferred from the Northern District of Georgia to this Court and assigned the above-referenced case number for inclusion in Multidistrict Litigation No. 3071.

¹ Nothing in this Motion is intended to give Plaintiff a reasonable expectation that First Communities will defend this action on the merits. Accordingly, nothing in this Motion should be construed as a waiver of any rights or defenses that First Communities is entitled to raise, whether found in law or in any agreement between the parties. First Communities specifically reserves the right to raise all defenses listed in Federal Rule of Civil Procedure 12(b)(1)-(7) in its first responsive pleading, including lack of subject-matter jurisdiction, lack of personal jurisdiction, improper venue, insufficient process, insufficient service of process, failure to state a claim upon which relief can be granted, failure to join a party under Rule 19, and any other defenses available under state and/or federal law.

4. On September 20, 2023, the Court entered an Order providing that Defendants shall file their motions to dismiss on or before October 9, 2023. [Doc. 59].

5. The September 20th Order however appears to relate back to scheduling conferences held between Plaintiff and other Defendants prior to First Communities' retention of counsel in this matter. Thus, it is unclear whether the September 20th Order only applies to those Defendants who joined in Defendants' Notice of Anticipated Motions filed on September 21, 2023 (ECF 544), or to all Defendants.

6. Therefore, in an abundance of caution, First Communities moves this Court for an extension of time to answer or otherwise respond to Plaintiff's Complaint through and including October 9, 2023. Alternatively, First Communities requests the Court clarify that all defendants in the above-styled matter have through and including October 9, 2023 to answer or otherwise respond to the Complaint.

7. Counsel for First Communities was able to confer with Plaintiff's counsel via email, and Plaintiff has consented to an extension through and including October 9, 2023 for First Communities to answer or otherwise respond to the Complaint.

8. The extension of time is not meant to delay these proceedings and will not unfairly prejudice any party.

WHEREFORE, First Communities respectfully requests that the Court grant this Motion to Extend Time and enter an Order extending the First Communities' deadline to respond until October 9, 2023.

Respectfully submitted,

/s/ Emily H. Mack

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*Appearing specially on behalf of Defendant First
Communities Management, Inc.*

CERTIFICATE OF SERVICE

I hereby certify that on September 28, 2023, a copy of the foregoing was filed electronically. Notice of this filing will be sent by operation of the Court's electronic filing system to all parties indicated on the electronic filing receipt.

/s/ Emily H. Mack

Emily H. Mack, TN Bar #31217

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